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SUBJECT: FEBRUARY 17 ABORTED WEALTH-SHARING WORKING GROUP PLANNING
SESSION AND THE NEED TO STRENGTHEN SPLM CAPACITY AT AEC WORKING
GROUP MEETINGS

¶1. (U) SUMMARY: In the February 17 meeting of the Wealth Sharing Working Group (WSWG), the SPLM representative admitted he was neither prepared, nor qualified to speak on behalf of his party. The NCP accused the AEC secretariat of failing to deliver a document outlining the structure of the mid-term evaluation. The NCP representatives also assumed that their suggestions were accepted in the February 5 plenary, although these ideas were not formally agreed to by both parties. Suggestions for strengthening the AEC are outlined in para. 12. END SUMMARY.

NCP AGGRESSIVE AND SPLM UNPREPARED

¶2. (U) The U.S. coordinator of the Wealth Sharing Working Group opened the February 17 session asking for the parties' priorities and work in the coming months. The NCP's Muhammad Mukhtar Al Hassan noted that the Working Group faces the dual challenges of completing the mid-term evaluation while carrying on its normal work. He stated that the matrix should be the basis for the mid-term evaluation.

¶3. (U) Al Hassan continued that the AEC secretariat was to have submitted a proposal outlining the structure of the mid-term evaluation within two days of the AEC plenary, but had failed to do so. "We need this document to unify the method and structure of the mid-term evaluation," he said. (NOTE: Plenary minutes do not mention a deadline associated with the drafting of this document: "The Chairman agreed with the NCP and said that the Secretariat would begin work on a structure of the mid term review immediately." END NOTE.)

¶4. (U) The Norwegian representative replied that the Terms of Reference (TOR) for the mid-term evaluation have only been "accepted in principle" and will be completed at the next AEC plenary. He stated that while Norway has received feedback from the NCP on the TOR, it is awaiting SPLM input. He said that the secretariat is working on a draft document outlining the structure of the mid-term evaluation.

¶5. (U) The WSWG coordinator then requested input from SPLM representative Khalid Ja'dain. Ja'dain responded that he was a last minute fill-in for the SPLM, and was neither prepared nor qualified to speak on behalf of his party. As the SPLM representative could make no decisions, the NCP representatives suggested adjourning the meeting. The SPLM agreed, and the coordinator accepted their decision noting, "We need more than just attendance, we need people who are prepared and knowledgeable about these issues."

¶6. (U) Before the meeting adjourned, the NCP noted the fast approaching April 15 deadline for the first draft of the Mid-Term Evaluation (MTE). They suggested that the Working Groups meet weekly to accelerate the drafting process. They added that the last plenary session agreed that the AEC will designate a primary

drafter, who would not be involved in the analytical work. Additionally, the NCP interpreted the plenary discussion as concluding that experts for the MTE will be hired only for particular issues when a second opinion is needed.

¶17. (U) The WSWG coordinator said that the MTE should do more than just evaluate whether CPA-mandated mechanisms have been established, but should evaluate the performance of those institutions as well. Before the meeting was adjourned the NCP stated again that they expect the AEC to draft a document outlining the structure of the MTE, "or we will just do it ourselves."

¶18. (SBU) After the meeting, Norwegian representative Nicolas Stivang told econoff that Muhammad Mukhtar Al-Hassan decided from the start of the meeting that he was "going to go on the offensive and attack the non-existent AEC secretariat." Stivang continued that the NCP representatives appear to have many assumptions about what was actually decided at the last plenary session, not all of which are entirely accurate. Stivang stated, "The AEC is supposed to be a venue for cooperation between the parties in both letter and spirit. Right now, the NCP is only honoring it in letter."

¶19. (SBU) EconOff also spoke with Abdelmoneim Mustafa Elamin, the AEC Executive Secretary, after the meeting. He stated that he was unaware that the AEC was to draft a document outlining the structure of the MTE. Elamin also inquired when the new AEC coordinator, Sir Derrick Plumley, would arrive in Khartoum.

¶10. (U) Participants:

U.S. Embassy: Roberto Powers, Deputy Chief of Mission,
Eric Barbee, Economic Officer
NCP: Hassan Ahmed Omar, Mohamed El-Mukhtar Al-Hassan
SPLM: Khalid Jadain
Norwegian Embassy: Nicholas Strivang, Political Affairs Officer
UNMIS: Khalid Elsayi, Political Affairs Officer

UNDP: Auke Lootsma; Deputy Country Director
French Embassy (for EU Presidency): Vicent Schneider, Economic Counselor

AEC COORDINATORS REVIEW OPTIONS

¶11. (SBU) On February 21, AEC coordinators met to review the situation and discuss ways of accelerating the Mid-Term Evaluation process. Acting AEC Chair, Norwegian Ambassador Thorkildsen, reported that Ambassador Plumley plans to arrive on March 16. He said that the NCP has accepted the TOR and the SPLM expects to do so in the next few days. The Dutch Ambassador reported progress in the Three Areas Working Group. DCM Powers reported on the aborted February 17 WSWG meeting and noted lack of SPLM capacity and NCP delaying tactics as key impediments. The UK Ambassador said that the Security Working Group faces challenges similar to those with the WSWG and is moving forward only slowly. The Italian Ambassador said that work in the Power Sharing Working Group has been constrained by lack of embassy staff, but hopes that situation will soon improve.

¶12. (SBU) The coordinators agreed that strengthening SPLM capacity is a key requirement to keeping the MTE and other AEC activities on track. Ambassador Thorkildsen said he has been discussing ways to do so with Kostis Maniatis of the SPLM and added that Norway may be able to fund a full-time Secretariat position to serve as MTE drafter. DCM noted that the NCP has made clear they do not favor an outside drafter and expect the Working Group Coordinators to draft.

COMMENT

¶13. (SBU) In the coming months the AEC will face a number of difficult challenges. The first is how to make the mid-term evaluation both useful and unity-enhancing for the parties. Some among the parties would like nothing better than to politicize this process and fixate the AEC on the minutiae of drafting. While the appointment of the new chairman is welcome, we should not assume that his arrival will instantly transform the AEC into a fully functional body. Other steps need immediate attention to support

this fragile CPA institution. End Comment.

PROPOSALS TO STRENGTHEN THE AEC

14. (SBU) Working Group coordinators and AEC secretariat should consider taking the following steps to empower the AEC at this critical juncture:

WORKING GROUPS

- Establish weekly or bi-weekly working-level meetings for political officers assigned to work on the AEC from the UK, U.S., Italy, and the Netherlands. Focus on improved coordination among AEC coordinators, especially at the working level.
- Continue pre-meetings for AEC plenary sessions for Khartoum Ambassadors.
- Keep an accurate accounting of all efforts and actions taken by Working Group coordinators to organize working group meetings. Submit actions to AEC secretariat on a monthly basis.
- Set tone and spirit of cooperation at all working group meetings.

- AEC SECRETARIAT

- Make use of AEC rules and procedures for formally accepting any decision at plenary sessions.
- Establish timeline for the arrival of the German legal expert, an additional administrator, and the new chairman. Communicate expected schedule to parties, AEC administrative staff, and working groups.
- Bolster leadership of Chairman at every opportunity.
- Promptly draft detailed minutes of plenary sessions, clearly identifying any mutually agreed decisions made at each session.
- Send one representative from AEC secretariat to all working group meetings for improved continuity and coordination.
- Enhance transparency of AEC with a more expanded public website.
- Develop better contact lists of coordinators, SPLM and NCP representatives, and their backups.
- Set tone and spirit of cooperation at all plenary sessions.

- SPLM AND NCP:

- Expand the number of representatives (especially the SPLM) available for the AEC. (Current SPLM representatives are overworked and struggling with multiple demands on their time and energy.)
- Designate one point of contact for confirming attendance at scheduled meetings.
- Take more initiative to propose meetings, as opposed to reacting to the ideas of the working group coordinators.
- Provide regular updates from political executive committee.
- Express intention to commitment of AEC and to working together in the spirit of the CPA.

FERNANDEZ